

	AXON® CAPTURE AND EVIDENCE.COM	Operations Order 5.1.01
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1. **PURPOSE**

To establish guidelines for the use and management of body-worn video, Evidence.com®, and Axon® Capture technology provided by the Department

The use of body-worn cameras (BWCs) video, Axon® Capture digital evidence, or other Evidence.com® technology for any purpose other than in accordance with this policy is prohibited.

2. **DEFINITIONS**

A. Axon® Capture	Phone based application used to capture photos, videos, and audio. Application can also be used to send upload links to citizens.
B. Axon® Community Request	Axon generated link that can be sent to community members, allowing them to submit digital evidence (photos, audio, video, etc.) for review and uploading into Evidence.com
C. Categorizing	A method to identify/classify a body-worn camera recording for a specific purpose and time

3. **UPLOADING**

- A. Users who capture BWC video and/or photographs, audio, or video using Axon® Capture during their shift will dock their BWC for uploading and charging and/or upload Axon® Capture content from their City issued cell phone at the end of each shift.

EXCEPTION: Users who are motor officers or who work off-duty or extra-duty work, see section 4.B below.

- B. Motor officers or users who work off-duty or extra-duty will dock their BWCs for uploading by the end of their next shift.

EXCEPTION: If BWC video or digital content associated with an arrest, critical incident, or other high-profile event is needed, users **must** dock or upload their BWC and/or Axon Capture content at the end of the current shift.

- C. Once uploaded, the BWC and/or city-issued cell phone will be cleared of existing digital media.
- D. Users must properly categorize and “ID” each video file within **10** days by ensuring the corresponding radio code and incident number are assigned to each video file.

4. **REPORTING/DOCUMENTATION**

- A. Users may review captured video to refresh their memory prior to completing required reports, preparing for court proceedings, etc.

- Employees may view video that is not their own if there is an investigative reason to do so.

EXCEPTION: An employee who is involved in a serious incident and/or the subject of an ongoing criminal investigation, including an officer-involved shooting or in-custody death, will not access or view BWC video related to the serious incident and/or criminal investigation until the video is released by the criminal investigators (see [Operations Order 7.10.00, Critical Incident Response Policy](#), for more information).

- B. If a Field Based Reporting (FBR) form (IR, FI, etc.) is completed as required by Department policy, users will document the existence of any related BWC video.

- (1) Users shall not substitute “refer to video”, or similar language, for a detailed and thorough report.

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4. B. (2) Within the written report, users will document the location of where digital evidence is uploaded and/or stored.

5. **AXON® CAPTURE PHOTO, AUDIO AND VIDEO**

- A. Authorized personnel may utilize the Capture application on city-issued cellular phones to collect digital evidence including evidentiary photos, audio interviews, and user-generated video as necessary.

- Only City-issued cell phones will be used with the Axon® Capture phone application

- B. All items collected utilizing the Capture application will be considered evidence and, therefore, cannot be deleted or edited in any way.

C. Capture Photo

- (1) Photos will be taken in accordance with Operations Orders 5.8.05, Photographs, and Audio/Video Procedures.
- (2) If authorized personnel are assigned to the CFS for which the collected evidence is attributed, the ID and Category fields in the submission prompt will remain blank. The evidence will auto-tag to the appropriate BWC ID number and Category.
- (3) If authorized personnel are not assigned to the CFS for which the collected evidence is attributed, the user will input the 11 digit BWC number for the original call in the ID field and add the appropriate Category radio code (488V, 459S, etc).

D. Capture Audio

- (1) Audio recordings will be collected in accordance with [Operations Orders 7.3.00, Initial Investigative Procedures](#).
- (2) If authorized personnel are assigned to the CFS for which the collected evidence is attributed, the ID and Category fields in the submission prompt will remain blank. The evidence will auto-tag to the appropriate BWC ID number and Category.
- (3) If authorized personnel are not assigned to the CFS for which the collected evidence is attributed, the user will input the 11 digit BWC number for the original call in the ID field and add the appropriate Category radio code (488V, 459S, etc).

E. Capture Video

- (1) Authorized personnel will not routinely use Capture Video outside of case-carrying detective positions.
- (2) Capture Video will not be used to record screen captures of video readily able to be collected and impounded as original video files.
- (3) If the use of Capture Video is determined to be necessary based on the totality of the circumstances, the guidance provided in 5.C of this order will be extended to Capture Video.

6. **AXON® CAPTURE COMMUNITY REQUEST LINKS**

- A. Community request links can be created and sent through the Evidence.com web interface or the Axon® Capture mobile application.

6. A. (1) Users will populate the ID field with the current BWC numbering format (11 digits, no spaces or special characters)

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(2) Users will populate the Category field with the appropriate call type radio code (211, 459, 240DV, etc).

B. After citizens upload digital evidence via a Community Request link, the employee who sent the link will:

- (1) Promptly review each item that was uploaded by the citizen.
- (2) Document in the Original IR, or create and submit a supplemental report, describing the digital evidence received, and that the items are located in Evidence.com®.
- (3) An evidence barcode will be generated in the original or supplemental IR listing the **Category** as "Digital Evidence", and the **Action** as "Evidence-com". In the **Description** field, type a brief summary of what the digital evidence consists of and that it is located in Evidence.com.

7. **EVIDENCE.COM® CASES**

A. When Evidence.com® is used to share digital content to justice partners From Other Jurisdictions (FOJ), or used for discovery purposes, users will use proper case ID numbering protocol.

- (1) The Evidence case ID number **must** mirror the current RMS report numbering scheme.
- (2) The Evidence case number will be the same length as the RMS report number.
- (3) The case ID must not contain any other characters or numbers.

NOTE: The case number should not be confused with the evidence ID number. The evidence ID number may not be the same as the case number. Refer to the Body Worn Camera Police Point site for updated training and procedural documentation.

8. **RELEASE OF DIGITAL MEDIA**

A. All digital media and evidence captured using the BWC or other Evidence.com® applications and technology is the property of the Department.

- Releasing captured video or other digital evidence without the approval of the Police Chief or designee is prohibited.
- Downloading BWC video and content from Evidence.com® is restricted.
 - * Download permissions will not be given without approval of the Police Chief or designee.

B. The release of video/s requested via a public records request will be handled in accordance with existing policy and public records laws (see [Operations Order 5.5.00, Release of Records](#), for additional information).

- (1) Public records requests for BWC video captured by Airport Bureau staff will be processed by the BWC Unit in the order in which it was received. Contact the BWC Unit for current redaction guidelines.

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8. B. (2) Once standard redactions are complete, the BWC unit will forward the redacted video to designated APS staff member/s for review.
 - Any additional redactions will be completed by either APS staff or BWC staff.
 - Upon completion, the redacted BWC video will be returned to the Police Public Records group for dissemination.

9. **DEPARTMENT REVIEW**

- A. Supervisors will ensure users assigned to their squad are wearing, activating, and not power cycling their cameras in accordance with this policy.
 - (1) Each work week, supervisors not assigned to the Patrol Division, will inspect at least one video for each user assigned to their squad and record their findings in the employee's supervisor notes.
 - (2) Each month, the precinct Quality Assurance (QA) sergeant will inspect two randomly selected videos from each patrol, NET, and CAO squad assigned to the precinct.
 - The findings will be reported to the precinct commander in a monthly report.
- B. The review of BWC video for use of force incidents is outlined in [Operations Order 1.5.02, Use of Force Reporting](#).
 - The purpose of the review is to assess the specific use of force incident and **NOT** the video in its entirety.
- C. Detectives are responsible for reviewing digital media associated with their assigned cases.
 - Detectives will review, respond to, or forward BWC public records requests where redacted video has been sent to them for review from the BWC Unit.
- D. The Department will have the ability to review captured video at any time to ensure compliance with policy, to investigate personnel complaints, for training purposes, etc.

10. **RETENTION OF DIGITAL MEDIA AND EVIDENCE**

- A. All captured digital media and evidence will be retained by the Department in accordance with established public records laws and statute of limitations considerations.
 - Captured video may be retained for longer periods in the event the video is the subject of a litigation hold, a criminal case, part of discovery, FOJ request, etc.
- B. Requests for the deletion of a video recording, for example, inadvertent personal recordings/ materials that are unlawful or violate the rights of others, must be submitted in writing to the Body Worn Camera Unit Sergeant, who will forward to the Police Chief or designee for approval.

11. **GENERAL SUPERVISOR RESPONSIBILITIES**

- A. In accordance with [Operations Order 3.2.00, Authority and Responsibility of Supervisors](#), supervisors will ensure their subordinates adhere to the directives of this policy.

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Last Organizational Review: